

REMARKS

Applicant respectfully requests reconsideration of this application as amended.

Claims 1-15 and 17-20 are pending in the application. Claims 1-15 and 17-20 have been rejected.

Claims 1, 6, 11, and 17 have been amended. The amended claims are supported by the specification.

Applicant reserves all rights with respect to the applicability of the doctrine of equivalents.

Claims 1-15 and 17-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,760,335 of Andersson et al.

("Andersson") in view of U.S. Patent No. 6,366,580 of Bradley et al. ("Bradley").

It is submitted that claims 1, 6, 11, and 17, as amended, are patentable over the cited references. Each of claims 1, 6, 11, and 17 include the limitation "presenting the call to the ATM Q.2931 layer if the multiplexing connection's bandwidth is insufficient to carry the call."

The Office Action states that Andersson does not explicitly disclose a non-multiplexed connection. (Office Action, 06/28/06, page 3). Applicant agrees that Andersson does not disclose a non-multiplexed connection.

Andersson discloses determining whether AAL2 multiplexor and/or demultiplexor resources are lacking and/or excessive relating to a particular AAL2 signaling relation between first and second nodes during network operation. (Andersson, col. 4, lines 27-30). Andersson also discloses adding or

removing at least one AAL2 multiplexor and/or demultiplexor based on the above determination. (Andersson, col. 4, lines 31-35).

In contrast, Andersson does not disclose presenting an overflow call to an ATM Q.2931 layer. Each of claims 1, 6, 11, and 17 include the limitation of presenting the call to the ATM Q.2931 layer if the multiplexing connection's bandwidth is insufficient to carry the call.

Therefore, Andersson does not disclose or suggest the limitations stated in claims 1, 6, 11, and 17.

Bradley discloses a method of changing the characteristics of telephone call data on an ATM network that is initially transmitted via a first SVC between a first ATM switch and a second ATM switch. (Bradley, col. 2, lines 36-39).

Bradley discloses that the switch-over from the first SVC to the second SVC is accomplished without interrupting service. (Bradley, col. 2, lines 52-55).

Bradley also discloses that there may be advantages to having a single channel per ATM instead of multiplexing multiple channels onto a single SVC. (Bradley, col. 1, lines 53-55). Having a single channel per ATM SVC avoids the necessity of having to de-multiplex and multiplex at the packet level. (Bradley, col. 2, lines 56-58).

In contrast, Bradley does not disclose presenting an overflow call to an ATM Q.2931 layer. Each of claims 1, 6, 11, and 17 include the limitation of presenting the call to the ATM Q.2931 layer if the multiplexing connection's bandwidth is insufficient to carry the call.

Therefore, Bradley does not disclose or suggest the limitations stated in claims 1, 6, 11, and 17.

It is respectfully submitted that Andersson does not suggest a combination with Bradley, and Bradley does not suggest a combination with Andersson because Bradley teaches away from multiplexing multiple channels onto a single SVC as taught by Andersson. It would be impermissible hindsight to combine Andersson with Bradley based on applicant's own disclosure.

Furthermore, even if Andersson and Bradley were combined, such a combination would lack the limitation of presenting the call to the ATM Q.2931 layer if the multiplexing connection's bandwidth is insufficient to carry the call as recited in claims 1, 6, 11, and 17.

Therefore, in view of the above distinction, neither Bradley nor Andersson, individually or in combination, disclose each and every limitation of claims 1, 6, 11, and 17, as amended. As such, claims 1, 6, 11, and 17 are patentable over Andersson in view of Bradley under 35 U.S.C. § 103(a).

Given that claims 2-5, 7-10, 12-15 and 18-20 depend from a respective one of the independent claims 1, 6, 11, and 17, it is submitted that claims 2-5, 7-10, 12-15 and 18-20 are also patentable over the cited references.

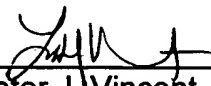
In view of the foregoing amendments and remarks, applicant respectfully submits that all of the rejections and objections have been overcome.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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